



United States Department of Agriculture
Food and Nutrition Service
Supplemental Nutrition Assistance Program

August 10, 2021

Amigos Grocery And Candy Store Corp
760 Allerton Ave
Bronx, NY 10467-8819

Dear Sir or Madam:

Consideration has been given to the information and evidence available to us relating to our letter of charges dated September 23, 2019, and to your replies of September 26, 2019 and October 01, 2019. We find that the violations cited in our charge letter occurred at your firm.

We considered your eligibility for a hardship civil money penalty (CMP) according to the terms of Section 278.6(f)(1) of the Supplemental Nutrition Assistance Program (SNAP) regulations. We have determined that you are not eligible for the CMP because there are other authorized retail stores in the area selling as large a variety of staple foods at comparable prices.

Therefore, your firm shall be disqualified from the Supplemental Nutrition Assistance Program for a period of 6 months. This is in accordance with Section 278.6 (a) and (e) of the SNAP regulations.

This disqualification will become effective on the 10th calendar day following your receipt of this letter. If the 10th calendar day is a Saturday, Sunday or legal (Federal) holiday, the disqualification will be effective the next day which is not a Saturday, Sunday or legal (Federal) holiday.

This determination will be final unless you submit a written request for review to the Chief, Administrative Review Branch, USDA, FNS, 1320 Braddock Place, 5th Floor, Alexandria, Virginia 22314. Your request for review must be postmarked by midnight of the 10th calendar day after you receive this letter, in order to be considered timely. If the 10th calendar day of the period for requesting review falls on a Saturday, Sunday or legal (Federal) holiday, as specified in Section 279.2(c) of the SNAP regulations, a request for review will be timely if it is postmarked the next day which is not a Saturday, Sunday or legal (Federal) holiday. The rules governing your review rights are contained in Section 278.6(n) and Part 279 of the SNAP regulations.

If a timely request for review is made, you may continue to accept and redeem SNAP benefits until the review officer has made a decision on your request.

This determination shall not preclude the Department of Agriculture or any other agency or department of the United States from taking further action to collect any claim determined under SNAP regulations or under any other pertinent statutes or regulations, nor shall this determination preclude prosecution under any applicable laws.

Your Electronic Benefit Transfer (EBT) processor will be advised to disable your EBT connection. If your EBT machine is government-supplied, it must be returned to the processor. If you accept SNAP benefits after the effective date of disqualification, you will be subject to a monetary fine per Section 278.6(m) of the SNAP regulations and possible prosecution under applicable laws.

If you are an authorized vendor under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), you may be disqualified from the WIC Program as a result of your disqualification from the SNAP. In accordance with current law governing both the SNAP and the WIC Program, such a WIC Program disqualification is not subject to administrative or judicial review under the WIC Program. A CMP from the Supplemental Nutrition Assistance Program may also result in a WIC Program disqualification, but such a disqualification would be subject to administrative and/or judicial review.

In the event that you sell or transfer ownership of your store subsequent to your disqualification, you will be subject to and liable for a CMP as provided by SNAP regulations Sections 278.6(f)(2), (3), and (4). The amount of this sale or transfer CMP will be calculated based on SNAP regulations at 278.6(g).

We may disclose information to the public when a retailer has been disqualified or otherwise sanctioned for violations after the time for any appeals has expired. This information is limited to the name and address of the store, the owner(s)/officer(s) names and information about the sanction itself.

You may apply for authorization 10 calendar days prior to the end of your disqualification period.

Current SNAP regulations are available online, at <https://www.fns.usda.gov/snap/retailer/training>.

If you have any questions, please call Jeffrey Sparman at (916) 228-8198.

Sincerely,



Fredrick Conn
Section Chief, Retailer Operations Division
USDA, Food and Nutrition Service
Supplemental Nutrition Assistance Program